

Serial No. 10/034,855

Docket No.: KCC-16,963

REMARKS

Applicants' undersigned attorney thanks the Examiner for her comments. Applicants respectfully request reconsideration of this patent application, particularly in view of the above Amendment and the following remarks. Currently, Claims 1-72 are pending, with Claims 1-15 and 43-72 withdrawn from consideration.

Amendment to the Claims

Claims 16-42 have been examined, with no claims being allowed.

Applicants have amended Claim 16 substantially in accordance with the Examiner's suggestion, the minor difference being a singular, rather than plural, form of "absorbent material component" to comply with the antecedent basis set forth in the preamble.

Applicants have amended Claim 27 partially in accordance with the Examiner's suggestion. More particularly, Applicants have amended Claim 27 to include the limitations of Claims 28 and 29. Therefore, Applicants respectfully request cancellation of Claims 28 and 29. Applicants have further amended Claim 27 to require that the central region of the first layer is not treated with the gelling agent and the peripheral region of the second layer is not treated with the red blood cell lysing agent. Support for this limitation is provided at page 16, lines 2-15, as explained in greater detail below.

No new matter has been added by this Amendment. No additional fee is due for this Amendment because the number of independent claims remains unchanged and the total number of claims has been reduced.

Claim Rejections - 35 U.S.C. §112

The rejection of Claims 16-42 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement is respectfully traversed.

Applicants have amended independent Claim 16 to more literally recite the verbiage of the specification, in accordance with the Examiner's suggestion.

Applicants have amended independent Claim 27 to include the limitations of Claims 28 and 29 and to require that the central region of the first layer

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is not treated with the gelling agent and the peripheral region of the second layer is not treated with the red blood cell lysing agent.

The specification describes the separation between the lysing agent and the gelling agent on page 16, lines 2-15. More particularly, the specification states that it is desirable for the layer with the lysing agent to be in closer contact with a wearer than the layer with the gelling agent, thereby indicating that the presence of the lysing agent and gelling agent is exclusive to the respective layer. Furthermore, the specification describes an embodiment wherein the location of the lysing agent and the gelling agent within the absorbent material or within the absorbent article can be further optimized by applying the lysing agent to a central region of a layer of absorbent material and applying the gelling agent to a peripheral region of either the same or a different layer of absorbent material, thereby preparing a target area in the central region for the blood-containing fluid to first contact, after which the lysed fluid will most likely radiate outward toward the peripheral region where the gelling agent will agglomerate the fluid and prevent any further spread of the fluid. From this description, it is apparent that the invention describes exclusivity between the region or layer treated with the lysing agent and the region or layer treated with the gelling agent. Therefore, the requirement that the central region of the first layer is not treated with the gelling agent and the peripheral region of the second layer is not treated with the red blood cell lysing agent in Claim 27 is fully supported in the specification.

In accordance with 35 U.S.C. §112, first paragraph, Applicants' specification contains a written description of the claimed invention in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

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Conclusion

Applicants believe that this case is now in condition for allowance. If the Examiner feels that any issues remain, then Applicants' undersigned attorney would like to discuss the case with the Examiner. The undersigned can be reached at (847) 490-1400.

Respectfully submitted,



Melanie I. Rauch
Registration No. 40,924

Pauley Petersen & Erickson
2800 West Higgins Road, Suite 365
Hoffman Estates, Illinois 60195
(847) 490-1400
FAX (847) 490-1403

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